



## NOTICE OF AVAILABILITY AND PUBLIC REVIEW

**To:** Interested Agencies and Organizations

**Subject:** Notice of Availability of a Draft Program Environmental Impact Report (PEIR) for the 6<sup>th</sup> Cycle Housing Element Update and PEIR (State Clearinghouse # 2020029064)

**Lead Agency:**

Agency Name: City of Del Mar  
Street Address: 1050 Camino del Mar  
City/State/Zip: Del Mar, California 92014  
Contact: Joseph D. Smith, AICP, Director  
Phone: 858-755-9313

**Consulting Firm:**

Firm Name: Kimley-Horn and Associates  
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Phone: 951-824-8697

The **City of Del Mar**, as the Lead Agency, has prepared a Draft Program Environmental Impact Report (PEIR) for the City of Del Mar's 6<sup>th</sup> Cycle Housing Element Update (HEU), which includes a candidate housing sites analysis as further described below. This Notice of Availability (NOA) has been issued to notify interested parties that the Draft PEIR is publicly available for review and comment. The City is requesting comments on the Draft PEIR from responsible and trustee agencies, interested public agencies, organizations, and the general public.

### Project Setting

Incorporated in 1959, the City of Del Mar is a small, residential community located on the Pacific Coast, west of Interstate 5 and approximately 20 miles north of downtown San Diego. According to the 2010 Census, Del Mar is the smallest incorporated jurisdiction in San Diego County with a population of 4,161 and an area of roughly two and a half square miles.

The City of Del Mar is characterized by its high-quality residential neighborhoods, as well as its small-village downtown. The City's coastal location, climate and small-village atmosphere attract a large number of tourists to the community as well as the Del Mar Racetrack and Fairgrounds located in the northeastern portion of the City. The tourists contribute to many of the retail and service industries that provide employment opportunities in the City.

The City is long and narrow in shape, bordering approximately 2.5 miles of the coast, and extending inland less than one mile at its widest point. Along the coast, the land rises abruptly from the sandy beaches to cliffs reaching 75 feet in height. The cliffs have been eroded by drainage from the San Dieguito River (to the north) and Los Peñasquitos Creek (to the south), creating small canyons extending into the hillsides. Crest Canyon extends south from the San Dieguito Lagoon and forms much of the eastern boundary of the City. A portion of the northern area of the City lies within the floodplain of the San Dieguito River. The City is vigilant in its protection of natural resources, environmental protection for the cliffs, canyons, and wetlands. This presents some constraints on the location of new development and opportunities for new subdivisions.

### Project Description

The Housing Element is a State-mandated policy document that is a component of the Del Mar Community (General) Plan. The Housing Element provides direction for the implementation of various programs to meet existing and projected future housing needs for all income levels within the Del Mar community. The Housing Element provides policies, programs, and actions that support and create the framework for

the production, preservation, and maintenance of the City’s housing stock for all income levels. The PEIR evaluates the potentially significant, adverse, and beneficial impacts on the environment resulting from the HEU, including future housing development on the candidate housing sites (project). This PEIR has been prepared to identify the potentially significant environmental effects from future housing development on the candidate housing sites pursuant to the HEU.

**Background**

The City’s current Housing Element (5<sup>th</sup> Cycle) was adopted by the City Council in 2013 and certified by the State Department of Housing and Community Development (HCD). The adopted Housing Element covers the planning period from April 2013 through April 2021. Staff is currently implementing the respective actions and programs for the current planning cycle. The next housing cycle (6<sup>th</sup> Cycle) will cover the planning period from April 2021 through April 2029.

California Government Code §§65580–65589.8 require that jurisdictions evaluate their Housing Elements every eight years. The City’s existing Community Plan covers the eight-year 5<sup>th</sup> Cycle Housing Element (April 30, 2013 to April 30, 2021). The HEU will ensure consistency with current State Housing laws and cover the 6<sup>th</sup> Cycle Housing Element planning period (2021-2029). The HEU will represent a comprehensive update to the City’s last adopted Housing Element (i.e., the 5<sup>th</sup> Cycle). The HEU will include goals, policies, and implementation programs for the 6<sup>th</sup> Cycle. It will also include revisions to goals, policies, and modified or continuing implementation programs carried over from the existing 5<sup>th</sup> Cycle.

**Regional Housing Needs Assessment (RHNA)**

RHNA is mandated by State law to quantify future housing growth need throughout the State and each city in the San Diego Region. This informs the local planning process by addressing existing and future housing need resulting from estimated growth in population, employment, and households.

SANDAG is responsible for oversight of the RHNA process for the San Diego region. SANDAG is currently overseeing the 6<sup>th</sup> Cycle RHNA, which covers the planning period from 2021-2029.

Per the RHNA for the 2021-2029 planning period, the City of Del Mar is allocated 163 units to accommodate the estimated growth need at various income levels. The 6<sup>th</sup> Cycle RHNA for Del Mar is as follows:

City of Del Mar 6 <sup>th</sup> Cycle RHNA Allocations by Income Category			
Income Category	Income Range*		RHNA Allocation
	Minimum	Maximum	
Very Low (31% to 50%)	\$26,753	\$43,150	37 units
Low (51% to 80%)	\$43,151	\$69,040	64 units
Moderate (81% to 120%)	\$69,041	\$103,560	31 units
Above Moderate (121% or more)	\$103,560	> \$103,560	31 units
<b>TOTAL</b>			<b>163 UNITS</b>

\*Income range is based on the 2019 San Diego County Area Median Income of \$86,300

**Available Sites and Capacity Analysis (Candidate Housing Sites Analysis)**

As required by State Housing Law, including Assembly Bill (AB) 1397, the City must specify the number of units that can realistically be accommodated on each candidate housing site and identify whether the site is adequate to accommodate lower-income housing in accordance with existing regulations or if future implementation actions could accommodate these lower-income units by amending the land use

designation and applicable zoning for selected sites. If adequate sites cannot be identified within the existing zoning, the City is required to identify various strategies to accommodate the lower-income RHNA units, including identification of vacant, residentially zoned parcels in an inventory of candidate housing sites that can accommodate lower-income housing. **The City is not required to build dwelling units in order to meet its RHNA allocation, only to identify potential sites and create the framework to allow the market the opportunity to develop these units.** The City is expected to demonstrate a good faith effort through its HE programs to facilitate the production of housing units.

The City has been able to identify an adequate number of properties to accommodate future housing needs within the moderate and above moderate-income levels. Based on housing trends to date, it is unlikely that the City will be able to accommodate its RHNA allocation for lower-income housing, which is 101 DUs, including 37 very-low income DUs and 64 low-income DUs, within existing residential neighborhoods based on the existing regulatory context the City identified candidate housing sites with potential capacity for subsequent development, if future implementation actions occur. Under the HEU, housing programs on candidate sites will be considered in addition to various other strategies to increase housing capacity and production of affordable dwelling units. For example, this could be accomplished by housing programs related to the Public Facilities Zone, various low-density and very low-density residential zones (as required to meet AB 1397), and various commercial zones. Additionally, the City identified vacant parcels with the potential to accommodate housing units for very low- and low-income levels, where there is potential opportunity to accommodate affordable housing through land use designation changes, rezoning programs, and/or zone code amendments on residential and/or nonresidential land to a maximum of 20 dwelling units an acre consistent with State Housing law, including AB 1397.

The Housing Element, which integrates/updates supporting socioeconomic, demographic, and household data, is specifically intended to accommodate the City's Regional Housing Needs Assessment (RHNA) allocation of 163 dwelling units (DUs). As further described, this PEIR evaluates development of 209 DUs throughout the City including 104 candidate housing sites (any combination thereof) comprised of 123 parcels totaling approximately 340 acres, and Accessory Dwelling Units (ADUs) throughout the community. The 209 DUs include the candidate housing sites needed to meet the City's 6<sup>th</sup> Cycle RHNA allocation (163 DUs) and the 5<sup>th</sup> Cycle RHNA allocation estimated carryover units (46 DUs). Recognizing that not all candidate housing sites will ultimately be included in the HEU, the 104 candidate housing sites included in the PEIR account for a 30 percent buffer (49 DUs), which is intended to serve as a sites contingency that may be considered after HEU certification to address future "no net loss," if it becomes necessary to identify a replacement site during the 6<sup>th</sup> Cycle (2021-2029). Therefore, to provide the development capacity to meet the City's RHNA allocation, the PEIR considers candidate housing sites for a total of 258 DUs including the 30 percent buffer.

The Housing Element will explore opportunities to accommodate the RHNA through production, entitled units, or the availability of properly zoned land that can accommodate additional growth. The Housing Element will further identify and address potential and actual governmental and non-governmental constraints on the development of housing for all income levels.

### **Required Approvals**

A "Program-level" Environmental Impact Report (PEIR) has been prepared for the City of Del Mar's 6<sup>th</sup> Cycle Housing Element Update (HEU), which includes a candidate housing sites analysis (project) to evaluate the necessary environmental determination required by CEQA. The PEIR would be adopted by Resolution of the City Council.

The Housing Element is a required policy component of the Del Mar Community Plan. Any amendments thereto to approve the 6<sup>th</sup> Cycle Housing Element will be adopted by Resolution of the City Council at a duly noticed Public Hearing. Additionally, HCD will review the Housing Element for compliance with applicable statutory provisions and will determine whether to certify the City's adopted Housing Element.

There will be the following discretionary actions on the part of the City Council:

1. General Plan Amendment (Community Plan Amendment)
2. Zoning Code Amendment
3. Local Coastal Program Amendment (subject to certification by the California Coastal Commission)

### **Environmental Impact Report**

The PEIR has been prepared for the City of Del Mar's 6<sup>th</sup> Cycle Housing Element Update (HEU), which includes a candidate housing sites analysis (project) to identify the potentially significant environmental effects. To ensure consistency with current State Housing Law, the Program would update and replace the existing (5<sup>th</sup> Cycle) Del Mar Housing Element with revised goals and policies, and new, modified, and continuing implementation programs. The PEIR focused on the following potential significant environmental issues. No significant unavoidable impacts are identified in the PEIR:

- |                             |                                   |                                 |
|-----------------------------|-----------------------------------|---------------------------------|
| ▪ Aesthetics                | ▪ Hazards and Hazardous Materials | ▪ Public Services               |
| ▪ Agricultural and Forestry | ▪ Hydrology and Water Quality     | ▪ Recreation                    |
| ▪ Air Quality               | ▪ Land Use and Planning           | ▪ Transportation                |
| ▪ Biological Resources      | ▪ Noise                           | ▪ Tribal Cultural Resources     |
| ▪ Cultural Resources        | ▪ Population and Housing          | ▪ Utilities and Service Systems |
| ▪ Energy                    | ▪ Mineral Resources               | ▪ Wildfire                      |
| ▪ Geology and Soils         |                                   |                                 |
| ▪ Greenhouse Gas Emissions  |                                   |                                 |

None of the candidate sites are included on any list of hazardous materials sites compiled pursuant to California Government Code Section 65962.5.

### **Agencies**

The City requests that each responsible and trustee agency review the Draft PEIR relevant to the agency's statutory responsibilities in connection with the Project, in a manner consistent with California Environmental Quality Act (CEQA) Guidelines §15087 (14 California Code of Regulations [CCR] §15087). Each agency may use the PEIR prepared by the City when considering any permits that the agency must issue, or other approvals for the Project.

### **Public Review Period**

The Draft PEIR is available for public review for a period of 60 days. In accordance with CEQA Guidelines §15105, should you have any comments, please provide written comments on the Draft EIR within the 60-day period between **July 2, 2020 and August 31, 2020**.

Two public meetings will be held to receive public input and comments on the Draft PEIR. The first informational session is scheduled with the City Council on **July 6, 2020 at 4:30 p.m.** and the second is scheduled with the Planning Commission on **July 14, 2020 at 6:00 p.m.** Unless otherwise directed by City Council, in response to the Coronavirus (COVID-19) pandemic, all City public meetings are being conducted virtually or telephonically. Information on meeting participation and viewing options will be included as part of the meeting agenda and posted at least 72 hours prior to the meeting time

at [www.delmar.ca.us/agendacenter](http://www.delmar.ca.us/agendacenter). In the event that the City Council allows public meetings to resume in-person, meetings are held at the Del Mar Town Hall located at 1050 Camino del Mar, Del Mar, California 92014. All speakers are required to also submit written comments to become part of the Draft PEIR record of comments. Information on how to submit comments is provided below under “Public Comments.”

### **Locations Where Draft EIR is Available for Public Review**

Due to the COVID-19 pandemic, the Del Mar City Hall and Del Mar Branch Library, locations commonly used for placement of hard copy documents, are closed to the public until further notice. However, the Draft PEIR is available to the general public for review on the City’s website at:

- [www.delmar.ca.us/Archive.aspx?AMID=57](http://www.delmar.ca.us/Archive.aspx?AMID=57)
- or
- [www.delmar.ca.us/HousingElement](http://www.delmar.ca.us/HousingElement)

Upon the re-opening of the Del Mar City Hall and/or Del Mar Branch Library to the public, a hard copy of the Draft PEIR will be made immediately available at the following locations:

Del Mar Library  
1309 Camino del Mar  
Del Mar, CA 92014

Del Mar Civic Center  
1050 Camino del Mar  
Del Mar, CA 92014

### **Public Comments**

The City requests your careful review and consideration of the Draft EIR, and invites **written comments** from interested agencies, persons, and organizations regarding environmental issues identified in the Draft PEIR. If you are part of an agency or organization, please indicate a contact person for whom a response should be directed to.

**Comments in response to this notice shall be submitted via e-mail, U.S. Postal Service, or courier service by 5:00 PM on August 31, 2020.**

### **Lead Agency Contact**

All comments shall be submitted in writing as follows:

**If by e-mail:** [jsmith@delmar.ca.us](mailto:jsmith@delmar.ca.us)

**If by U.S. Mail or Courier:**

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Planning and Community Development Department  
Attn: Joseph D. Smith, AICP, Director  
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